

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

LARRY GOLDEN,

Plaintiff,

V.

UNITED STATES,

Defendant.

Case No: 19-104C

Judge: Eric G. Bruggink

June 29, 2019

Plaintiff's Motion for a "Stay in Case No. 13-307C"

Plaintiff is seeking a "Stay" in Case No. 13-307C for the following reasons:

Plaintiff is considering filing a petition at the Patent Office (under the Administrative Procedures Act) to withdraw / unwind the cancellation certificate regarding the independent claims 11, 74, & 81 of the Plaintiff's RE43,990 patent. *The Return Mail, Inc. v. United States Postal Service* decision was based on "subject matter jurisdiction," which means it is Supreme Court law now that the entire action against Plaintiff's patent was outside of the Agency's statutory authority. The "cure" will be to ask them to nuke the resulting certificate.

Plaintiff is considering filing an appeal at the United States Court of Appeals for the Federal Circuit in case no. 19-104C. "NOTE: As to appeal to the United States Court of Appeals for the Federal Circuit, 60 days from this date, see RCFC 58.1, re number of copies and listing of all plaintiffs. Filing fee is \$505.00" (Judgement in Case No. 19-104C; Dkt. No. 13: filed 05/15/2019).

Defendant (Government) has been granted leave. "... undersigned Government counsel plans to take leave from mid-August to early September to assist with a newborn child. During that time, the undersigned expects to be generally unavailable" (Case No. 13-307C; Dkt. No. 172: filed 05/30/2019).

Plaintiff has asked the Defendant (Government) if they would oppose a "Stay" in this case. "[w]e will not oppose a motion to stay the Court of Federal Claims case pending resolution of your contemplated petition to the USPTO" (e-mail correspondence received from Mr. Kim on June 27, 2019)

Respectfully submitted,



Larry Golden

Plaintiff, Pro Se

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing “Plaintiff’s Response to Order to respond to the Government’s Motion for Claim Construction” was sent on June 29, 2019 via U.S. Postal service “priority mail”, to:

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